

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicants: Thill et al.)	I hereby certify that this paper is
)	being filed electronically with the
)	U.S. Patent and Trademark Office
Serial No.: 10/652,322)	on this date:
)	
)	August 24, 2006
Filed: 08/29/2003)	
)	
)	<u>/Keith R. Jarosik/</u>
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)	Attorney for Applicants
Group Art Unit: 3635)	
)	
)	
Examiner: Horton, Yvonne Michele)	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP §609.04(b)(III), this Information Disclosure Statement is being filed concurrently with a Request for Continued Examination under 37 CFR §1.114. Accordingly, the applicants respectfully request the consideration of the document submitted herewith, and allowance of the claims. The non-patent citations listed on the enclosed PTO Form-1449 are submitted pursuant to 37 CFR §§ 1.56, 1.97, and 1.98. Copies of the non-patent citations are attached. In accordance with 37 CFR §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited herein is prior art, or that it is material to patentability.

TIME OF FILING

This information disclosure statement is being filed:

☐ 1. with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or, to the best of the undersigned's knowledge, before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 CFR §1.97(b), no certification or fee is required.

☐ 2. after the time period specified in paragraph 1 above, but, to the best of the undersigned's knowledge, before the mailing date of a final action under 37 CFR §1.113 or notice of allowance under 37 CFR §1.311. Therefore, in accordance with 37 CFR §1.97(c), submitted herewith is:

- A. ☐ a certification as specified in 37 CFR §1.97(e).
- B. ☐ the fee set forth in 37 CFR §1.17(p) for submission of an information disclosure statement under 37 CFR §1.97(c).

☒ 3. after the mailing date of either a final action under 37 CFR §1.113 or a notice of allowance under 37 CFR §1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant submits herewith:

- A. ☐ a certification as specified in 37 CFR §1.97(e);
- B. ☐ the fee set forth in 37 CFR §1.17(p); and
- C. ☐ the accompanying petition under 37 CFR §1.97(d).
- D. ☒ a RCE under 37 CFR §1.114.

METHOD OF PAYMENT

The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 50-2455. A copy of this paper is enclosed.

Correspondence Address:

Respectfully submitted,

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August 24, 2006

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Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 92/F00-003D	Serial No. 09/548,876
INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		Applicant Gregory J. Thill	
		Filing Date 08/29/2003	Group Art Unit 3635

U.S. PATENT DOCUMENTS							
*EXAMINER INITIALS		DOCUMENT NUMBER	ISSUE DATE	INVENTOR(S)	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01						
	A02						
	A03						
	A04						
	A05						
	A06						
	A07						

FOREIGN PATENT DOCUMENTS							
*Examiner Initials		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	B01						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	C01	Letter from Mr. James Slattery, dated August 2, 2004.
	C02	Series 1000-Fire Resist HP - Drawing allegedly showing a Series 1000 Dock Seal, allegedly dated December 14, 1999.
	C03	Email to Mr. James Slattery, dated April 29, 2005.
	C04	Letter to Mr. James Slattery, dated July 26, 2006.
	C05	Letter from Mr. James Slattery, dated August 22, 2006.
	C06	END USER LISTING PUBLIX - Listing of alleged sales of Dock Seals to Publix, report dated May 5, 2004.
	C07	(03012001) Fairborn USA Inc. Loading Dock Seals & Shelters for Truck an - Internet Web site of Fairborn USA, archived March 1, 2001, last updated January 25, 2000, and printed August 24, 2006.
	C08	(03062001) Series 1000 Foam Dock Seal With Fixed Head - Internet Web site of Fairborn USA showing Series 1000 Dock Seal as offered for sale by Fairborn USA, archived March 6, 2001, last updated January 25, 2000, and printed August 24, 2006.

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant.	